



**Policy:** 1118  
**Procedure:** 1118.01  
**Chapter:** Records  
**Rule:** Records Retention and  
Disposition Procedure

**Effective:** 12/01/07  
**Replaces:** N/A  
**Dated:** N/A

### **Purpose:**

The Arizona Department of Juvenile Corrections (ADJC) establishes and maintains an active, continuing program for the cost-effective and efficient management of the public records of the agency. All records made or received by the employees of this agency in the course of their official duties are the property of the state.

### **Rules:**

1. **Management Of Administrative Records - ADJC** shall designate the Central Office Records Management Supervisor (CORMS) as the Records Officer for the Agency. This designee shall be at a level of management sufficient to direct the records management program in an efficient and effective manner. The **CORMS** shall:
  - a. Act as a coordinator for the agency and as a liaison to the Department of Library, Archives, and Public Records (LAPR);
  - b. Ensure that the Unit Administrative Records Managers are issued individual current revisions of the State Records Management Manual;
  - c. Provide training and assistance Unit Administrative Records Managers:
    - i. In conducting inventories of their unit's administrative records;
    - ii. In determining lawful and appropriate retention schedules for records;
    - iii. In disposing appropriately of records purged in accordance with an approved retention schedule.
  - d. Forward the records retention schedules to the LAPR for approval and when approval is received, notify the Unit Administrative Records Manager;
  - e. Maintain a compilation of current Department records retention schedules and revised as needed;
  - f. Publish and distribute the retention schedules to Unit Records Administrative Managers and their supervisors.
2. **Appointment of Unit Administrative Records Managers - DIRECTOR, DEPUTY DIRECTOR, ASSISTANT DIRECTORS, EDUCATION SUPERINTENDENT, AND PROGRAM ADMINISTRATORS** shall:
  - a. Maintain current appointments of a Unit Administrative Records Manager for their organizational units;
  - b. Submit the appointee's name to the CORMS each time an appointment is made.
3. The **UNIT ADMINISTRATIVE RECORDS MANAGERS** shall:
  - a. Serve as their organizational unit's representative for records management;
  - b. Conduct records inventories of all administrative records retained by their unit;
  - c. Prepare and maintain a current records retention schedule for each type of record or file and submit it to their program administrator for approval;
  - d. Forward approved records retention schedules to the CORMS.
  - e. Revise their division's/unit's retention schedule periodically:
    - i. To include a newly created record series;
    - ii. To change retention periods;
    - iii. To delete a record series no longer used; or
    - iv. When the division's/unit's signing authority has changed.
  - f. Follow and complete appropriate approval processes for their retention schedules before any revisions would become effective;

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- g. Keep all records for the maximum period listed in the Records Retention Schedule;
- h. Retain records beyond the listed retention period only when notified by the Attorney General Liaison that there is a probability of litigation either involving the record or requiring its use.

#### 4. **ALL STATE EMPLOYEES** shall:

- a. Attend Records Management training;
- b. Maintain all records reasonably necessary or appropriate to maintain an accurate knowledge of their official activities and of any of their activities which are supported by monies from the state;
- c. Make and maintain records containing adequate and proper documentation of the organization functions, policies, decisions, procedures, and essential transactions of the agency designed to furnish information to protect the rights of the state and of the persons directly affected by the agency's activities;
- d. Comply with Form 1118.01A General Retention Schedule for State Agencies;
- e. Comply with their unit's Form 1118.01B Retention Schedule;
- f. Be subject to "failure to comply with public records law" ranging from a class 2 misdemeanor to a class 6 felony depending on the position held and the section of the Arizona Revised Statutes (ARS) violated, §§ 38-421, 39-101, or 41-1348 and to disciplinary action from this Department;
- g. Comply with all court-ordered destruction notices;
- h. Transfer all official email records to the next generation of hardware or software within 90 days.
  - i. Email, regardless of whether created, received, or stored on Department equipment, may constitute an "Official Record" (as defined by ARS §41-1350);
  - ii. The official email may be deleted when transferred to a proper record keeping system;
  - iii. **MIS** shall destroy all email and instant messaging and their back-ups after 90 days in accordance with Procedure 2205.06 Use of E-mail and Instant Messaging.
- i. Delete retained official email records after the same period as required for other forms of the same record series in the Records Retention Schedule.

#### 5. **EMPLOYEES** shall:

- a. Not destroy or otherwise dispose of records without the specific authority of the state library in accordance with ARS §38-421;
- b. Not destroy any record if any litigation, claim negotiation, audit, open records request, administrative review, or other action involving the records as initiated before the expiration of the retention period for the record set in the approved Records Retention Schedule. If no action as described above has been taken, records may be destroyed in accordance with the approved retention periods shown in the Records Retention Schedule;
- c. Destroy records not listed on the approved Records Retention Schedule:
  - i. After submitting form 1118.01D Single Request for Records Destruction or Transfer; and
  - ii. Receiving approval by officials of the LAPR.

#### 6. **Court Ordered Records Destruction** -

- a. The **CORMS** shall:
  - i. Forward all court orders granting the destruction of juvenile records to the Attorney General Liaison for review and validation;
  - ii. Shall retain one copy of each court order to be sent with the file for destruction.
- b. The **ATTORNEY GENERAL LIAISON**:
  - i. May validate court orders granting the destruction of juvenile records;
  - ii. After validation, shall forward a validation Form 1118.01C Internal Notice of Court-ordered Records Destruction to the CORMS for distribution.
- c. Upon validation and per court order, the **CORMS** shall:

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- i. Distribute copies to the administrators for Medical, Behavioral Health, Education, MIS, Accounting, and the Inspections and Investigations Division;
- ii. Send an email notification to all affected employees regarding the Court-Ordered Destruction Notice.
- d. The **RECORDS MANAGERS/ADMINISTRATORS** shall forward any and all hard copy files to the CORMS along with the signed validation Form 1118.01C;
- e. The **MIS ADMINISTRATOR** shall delete all electronic files designated in the court orders granting the destruction of a juvenile record. Upon completion, the **MIS ADMINISTRATOR** shall forward the signed validation Form 1118.01C to the CORMS,
- f. The **CORMS** shall:
  - i. Verify that the electronic files have been deleted;
  - ii. Forward any and all hard copy files along with the copy of the Court Ordered Destruction notice to the LAPR, Records Management Division for destruction;
  - iii. Send the signed Validation Form 1118.01C to the ADJC Attorney General Liaison of compliance to the court-ordered destruction;
  - iv. Retain a copy of the Court Ordered Record Destruction Notice per the General Retention Schedule for State Agencies.

**Signature Date**

11/30/2007

**Approved by Process Owner**

Kellie M. Warren

Kellie M. Warren, Psy.D., Deputy Director

**Effective Date**

12/01/07

**Approved by**

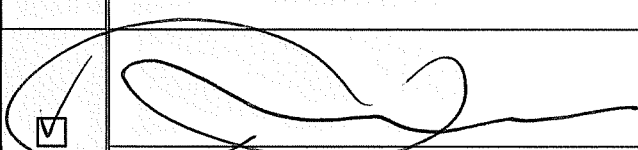
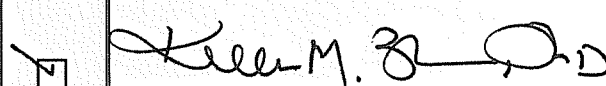
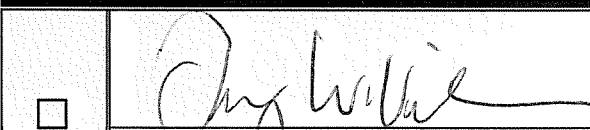
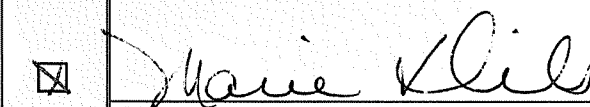
Michael D. Branham

Michael D. Branham, Director



# DIRECTOR'S POLICIES AND PROCEDURES REVIEW CHECK LIST

Document ID: 1118 & 1118.01

Check all appropriate Items		Comments
<input checked="" type="checkbox"/> New Policy <input checked="" type="checkbox"/> New Procedure		
<input type="checkbox"/> Updated Policy <input type="checkbox"/> Updated Procedure		
<input type="checkbox"/> Process Owner approved		
<input type="checkbox"/> Notification of changes to Staff; NO training of staff recommended		
<input checked="" type="checkbox"/> Notification of changes to Staff; Training of staff recommended		As indicated in the procedure.
<input checked="" type="checkbox"/>  Michael D. Branham, Director Date: 11/29/07		
<input checked="" type="checkbox"/>  Kellie M. Warren, Psy.D., Deputy Director Date: 11/29/2007		
<input type="checkbox"/>  Terry Villars Classification Administrator Date:		
<input checked="" type="checkbox"/>  Marie Dils, Policy Administrator Date: 11.28.07		